

SCOTTSDALE

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CITY COUNCIL MEETING

NOTICE AND AGENDA

COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Tony Nelssen

Monday, July 10, 2006

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Roll Call

Pledge of Allegiance

Invocation

Presentations/Information Updates

Approval of Minutes

SPECIAL MEETINGS

[June 20, 2006](#)

REGULAR MEETINGS

[June 20, 2006](#)

WORK STUDY SESSIONS

EXECUTIVE SESSIONS

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

CONSENT AGENDA

ITEMS 1-19

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

CONSENT AGENDA

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1. [Ducati Scottsdale Conditional Use Permit](#)

Requests:

1. Approve a Conditional Use Permit for motorcycle sales on a 35,000 +/- square foot parcel located at 14880 N. Northsight Blvd. with Highway Commercial District (C-3) zoning.
2. Adopt Resolution No. 6944 affirming the Conditional Use Permit.

Location: 14880 N. Northsight Boulevard, Suite 101

References:

- Case 51-DR-2004, approval of the building in the commercial center
- Case 9-UP-2004, Conditional Use Permit approval of another motorcycle dealership in the commercial center
- Case 16-ZN-2002, rezoned property from C-2 to C-3 in 2002
- Case 60-DR-2001 #1 and #2, approval of the commercial center

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

2. [DC Ranch Amended Development Standards](#)

Requests:

1. Approve amended development standards to the existing Planned Community District with comparable zoning of Planned Neighborhood Center and Industrial Park and an amendment to the Development Agreement governing DC Ranch. Affected parcels are located along Pima Road, and at 91st Street and Palo Brea Bend.
2. Adopt Ordinance No. 3687 affirming the amended development standards.
3. Adopt Resolution No. 6943 authorizing the Mayor to execute the Amended Development Agreement for DC Ranch No. 1989-074-COS-A4.

Location: Planning Units I and II along Pima Road

References: 57-ZN-1989#1-8, Development Agreement, DC Ranch Master Plans

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

3. [Contract Renewal for Support of Non-Profit Papago Salado Association](#)

Request: Authorize Contract No. 2006-101-COS for \$25,000 in FY 2006-07, with the Papago Salado Association, Inc., to promote the Papago Salado region's destination and cultural heritage, to assist Scottsdale with coordinating Papago Salado improvement and enhancement projects with Salt River Project and the cities of Phoenix and Tempe, to identify and apply for grant funding and to involve citizens in various Papago Salado programs.

Staff Contact(s): Ed Gawf, Deputy City Manager, 480-312-4510, egawf@scottsdaleaz.gov; Robert J. Cafarella, Preservation Director, 480-312-2577, rcafarella@scottsdaleaz.gov

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4. **[Transfer of Property to Scottsdale Training and Rehabilitation Services](#)**

Request: Adopt Resolution No. 6890, which authorizes the City to transfer title of the property located at 7507 E. Osborn Road to Scottsdale Training and Rehabilitation Services (STARS), a non-profit agency, through a twenty-five (25) year agreement valued at \$765,250 (Agreement Nos. 2006-123-COS and 2006-126-COS).

Related Policies, References: City Council adopted Resolution No. 2013 authorizing the acquisition of the property located at 7507 E. Osborn Road. Resolution No. 6656 adopted the City of Scottsdale's Five-Year Consolidated Plan for eligible uses of CDBG funds for Fiscal years 2005/09.

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

5. **[Arizona State Department of Library, Archives and Public Records Library Services and Technology Act Grant](#)**

Request: Adopt Resolution No. 6922, authorizing the Library Division of the Community Services Department to accept a 2006-2007 Library Services and Technology Act grant from the Arizona State Department of Library, Archives and Public Records for \$33,620 to be used for a consultant to reshape the volunteer program to benefit older transitioning adults, and appointing the Library Director to execute documents necessary for the acceptance and administration of the grant.

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov; Rita Hamilton, Library Director, 480-312-7039, rhamilton@scottsdaleaz.gov

6. **[Scottsdale Ranch Community Association Median Maintenance and Funding Reimbursement](#)**

Request: Adopt Resolution No. 6897 authorizing Contract No. 2006-031-COS with Scottsdale Ranch Community Association for median maintenance and funding reimbursement.

Related Policies, References: The City continues to offer new developments the opportunity to upgrade their dedicated medians and rights-of-way, with the City paying the annual minimum maintenance cost. Other long-term existing agreements that are in place are with McCormick Ranch, McDowell Mountain Ranch, Gainey Ranch, and D.C. Ranch.

Staff Contacts(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

7. **[Intergovernmental Agreement with Maricopa County to Provide Special Transportation Services](#)**

Request: Adopt Resolution No. 6915 to authorize a one-year Intergovernmental Agreement (IGA) No. 2006-083-COS with Maricopa County for the provision of Special Transportation Services (STS). The STS program has provided services to Scottsdale residents since 1987. Maricopa County STS staff projects they will provide 2,283 trips to City residents under the fiscal year 2006/07 contract at a cost of \$38,500.

Related Policies, References: IGA No. 2006-083-COS; City Procurement Code

Staff Contact(s): Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov

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8. **Intergovernmental Agreement with the City of Phoenix for Reimbursement of Eligible Expenditures under Federal Transit Administration (FTA) Grant**
Request: Adopt Resolution No. 6916 authorizing the City to enter into Intergovernmental Agreement (IGA) No. 2006-084-COS between the cities of Scottsdale and Phoenix to enable the City to receive reimbursement of eligible expenditures under FTA Grant No. AZ-90-X074, providing \$2,750,586 for the construction of a Mustang Transit Center and land acquisition for a regional park and ride facility in Scottsdale. The grant was anticipated and included in the adopted capital and operating budgets for fiscal year 2005/06.
Related Policies, References: IGA No. 2006-084-COS; City Procurement Code; Code of Federal Regulations
Staff Contact(s): Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov
9. **Transportation Enhancement Funding for Transportation Capital Improvement Projects**
Requests:
 1. Adopt Resolution No. 6947 authorizing the City of Scottsdale to apply for two Arizona Department of Transportation (ADOT) Transportation Enhancement Funds grants for a total of \$1,000,000.
 2. Authorize the acceptance of the award in the event the applications are successful.**Staff Contact(s):** Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov
10. **Federal Lobbying and Information Services Contract Extension**
Request: Approve a one-year extension and modification of Contract No. 2003-122-COS-A1 with Carolyn C. Chaney and Associates to provide federal lobbying and information services on behalf of the City of Scottsdale in the amount of \$73,062, plus up to \$6,000 for reimbursable expenses, which is the same fee structure as FY 2005/06.
Staff Contact(s): Bridget Schwartz-Manock, Governmental Relations Director, 480-312-2423, bschwartzmanock@scottsdaleaz.gov; Neal Shearer, Assistant City Manager, nshearer@scottsdaleaz.gov, 480-312-2604
11. **Contract Renewal for Scottsdale's Partnership with Designated Sister Cities**
Request: Authorize Contract No. 2006-092-COS for \$10,000 in FY 2006-07, and \$10,000 in FY 2007-08, with the Scottsdale Sister Cities Association, Inc., to promote the City of Scottsdale and the Scottsdale Sister Cities Association, Inc., to strengthen municipal and economic development partnerships between Scottsdale and our existing or newly designated Sister Cities, and to advance cultural and educational exchanges.
Related Policies, References: Previous Agreement No. 2004-042-COS, between Scottsdale Sister Cities Association and the City of Scottsdale, which expired June 30, 2006. Scottsdale Revised Code Section 2-189 and related rules.
Staff Contact(s): Bridget Schwartz-Manock, Government Relations Director, 480-312-2423, bschwartzmanock@scottsdaleaz.gov; Neal Shearer, Assistant City Manager, nshearer@scottsdaleaz.gov, 480-312-2604

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12. **Agreement to Streamline Booking Process**

Request: Approving Resolution No. 6952 authorizing the Scottsdale Police Department to enter into Software Development Agreement Contract No. 2006-106-COS with e-Corridor Inc. The purpose of this agreement is to have e-Corridor Inc. modify programs at the Arizona Department of Public Safety and the Maricopa County Sheriff's Office to accept booking information from Scottsdale Police Department's new Records Management System. The dollar value of this proposed agreement is \$50,000.

Staff Contact(s): Alan G. Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov; Brad Hartig, Chief Information Officer, 480-312-7615, bhartig@scottsdaleaz.gov

13. **Authority for Human Resources to Receive Criminal History Information for Employment Purposes**

Request: Adopt Ordinance No. 3684, amending Section 14-44 of the Scottsdale Revised Code, which authorizes the Human Resources General Manager to request and receive criminal history information for the purpose of evaluating the fitness of applicants for employment and designated volunteer positions at the City of Scottsdale; and that addresses a technical correction requested by the Department of Public Safety.

Related Policies, References: Arizona Revised Statutes 41-1750; Public Law 92-544; Ordinance Nos. 2424 (1/19/93), 2689 (7/18/94), 3078 (11/17/97), 3659 (1/24/06); Scottsdale Revised Code Section 14-41(i)

Staff Contact(s): Teri Traaen, Human Resources General Manager, 480-312-2615, ttraaen@scottsdaleaz.gov

14. **Settlement of B&F Contracting, Inc. v. City of Scottsdale**

Request: Adopt Resolution No. 6949 authorizing final settlement (Agreement No. 2006-116-COS) in the amount of \$92,000 to resolve a lawsuit entitled *B&F Contracting, Inc. v. City of Scottsdale*, Cause No. CV 2004-018006, currently pending in Maricopa County Superior Court.

Staff Contact(s): Deborah Robberson, City Attorney, 480-312-7794, drobberson@scottsdaleaz.gov

15. **Gila River General Stream Adjudication Legal Services Contract**

Request: Adopt Resolution No. 6942 authorizing the Mayor to execute Intergovernmental Agreement No. 2003-145-COS-A3, among the cities of Scottsdale, Glendale, Avondale, Mesa and Chandler to provide for joint funding for outside legal counsel in the Gila River General Stream Adjudication, and Agreement No. 2003-144-COS-A3, a contract for legal services that sets forth in detail the terms of the City's representation.

Staff Contact(s): Deborah Robberson, City Attorney, 480-312-7794, drobberson@scottsdaleaz.gov; Steven Bennett, Deputy City Attorney, 480-312-7737, sbennett@scottsdaleaz.gov

16. **Appoint an Acting City Manager in Absence of City Manager**

Request: Adopt Resolution No. 6959 appointing an Acting City Manager to serve in the absence of the City Manager and establishing an orderly succession of persons to serve as Acting City Manager.

Related Policies, References: Scottsdale City Charter, Article 3, Section 4

Staff Contact(s): Deborah Robberson, City Attorney, 480-312-7794, drobberson@scottsdaleaz.gov

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17. **Sponsorship Agreement with Scottsdale Healthcare for Fitness Center at McDowell Mountain Ranch Park and Aquatic Center**

Request: Approve Sponsorship Agreement No. 2006-117-COS which names the new fitness center at McDowell Mountain Ranch Park: *Scottsdale Healthcare Fitness Center at McDowell Mountain Ranch Park and Aquatic Center*; and allows Scottsdale Healthcare to provide specialized public programming related to health and wellness in the fitness center.

Related Policies, References: Administrative Regulation No. 156; Sponsorship/Naming Rights Proposal

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

18. **Intergovernmental Agreement with Scottsdale Unified School District for Maintenance of Youth Sports Fields at School Facilities**

Requests:

1. Adopt Resolution No. 6950 authorizing the City to enter into Intergovernmental Agreement No. 2005-023-COS-A1, between the City and the Scottsdale Unified School District, which will allocate City funds to the Scottsdale Unified School District to increase the level of maintenance on sports fields at 10 school sites, and will allow City staff and contractors access to these youth sports fields on School District property for the purpose of periodic field rehabilitation.
2. Approve a \$386,601 budget transfer from the General Fund Operating Budget Contingency to the Community Services Department Account No. 100-05709-52826.

Related Policies, References:

- Youth Sports Task Force Report
- Intergovernmental Agreement No. 2000-043-COS (“Master Agreement”) between the City and the Scottsdale Unified School District
- Intergovernmental Agreement No. 2005-023-COS, previous maintenance agreement
- June 2, 2006 letter from the Scottsdale Unified School District

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

19. **Soccer Field Lighting at Chaparral Park**

Request: Approve the addition of sports lighting on two soccer fields at Chaparral Park and match funds in the amount of \$200,000 from the Arcadia Scottsdale United Soccer Club in order to design and install the new lights.

Related Policies, References: Partnership Funding Policy

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

Regular Agenda begins on the following page

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

20. [Colaric Abandonment](#)

Requests:

1. Abandon 752.50 feet of right-of-way along the 12-foot wide alley located at the rear of Lots 10 through 15 of Villa Arcadia Two.
2. Abandon 174 feet of right-of-way along the 12-foot wide alley located west of Lot 10 of Villa Arcadia Two.
3. Abandon 183.55 feet of right-of-way along the 16-foot wide alley located east of Lot 15 of Villa Arcadia Two.
4. Adopt Resolution No. 6919 vacating and abandoning a public right-of-way.

Location: 6446 – 6532 E. Calle Del Media

Related Policies, References: 20-AB-2005; General Plan; Master Circulation Plan

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

21. [SkySong Lease Amendment](#)

Request: Adopt Resolution No. 6958 authorizing Agreement No. 2004-119-COS-A1, an amendment to the ground lease between the City and Arizona State University Foundation L.L.C., to allow for the addition of residential uses at the SkySong project at the southeast corner of Scottsdale Road and McDowell Road.

Related Policies, References:

- Agreement No. 2004-119-COS, existing ground lease, effective date of August 9, 2004
- ASU Scottsdale Ad-Hoc Task Force “Design Guidelines and Development Framework for the ASU-Scottsdale Center for New Technology and Innovation and the Surrounding Area” report issued February 2005
- ASU-Scottsdale Center for New Technology and Innovation zoning approval Case No. 26-ZN-2005, approved June 21, 2005

Staff Contact(s): Ed Gawf, Assistant City Manager, 480-312-4510, egawf@scottsdaleaz.gov; David Roderique, Economic Vitality General Manager, 480-312-7601, droderique@scottsdaleaz.gov

Mayor and Council Items Begin on the Following Page

Mayor and Council Items

22. [City Treasurer](#)

Request: Consider and assess position and appointment of City Treasurer.

Related Policies, References: Scottsdale City Charter, Article 3, Sections 1 and 3; Article 4, Sections 1 and 3; and Article 6, Sections 3 and 11. Scottsdale Revised Code, Sections 2-91, 2-92, 2-131, 2-132, 2-133, 2-134, 2-135, and 2-153.

Public Comment

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City Manager's Report

Adjournment